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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/869,408	10/01/2001	Francis Patrick Kleinitz	A70704DJBMAK	2608
7590	03/25/2005		EXAMINER	
Flehr Hohbach Test Albritton & Herbert Four Embarcadero Center Suite 3400 San Francisco, CA 94111			KNOWLIN, THJUAN P	
			ART UNIT	PAPER NUMBER
			2642	

DATE MAILED: 03/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/869,408	KLEINITZ ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Thjuan P Knowlin	2642	

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*  
**Period for Reply**

**A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.**

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) Responsive to communication(s) filed on 13 December 2004.
- 2a) This action is FINAL.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) Claim(s) 1-29 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-29 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 11 October 2004 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date: _____
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date: _____	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____

## **DETAILED ACTION**

### ***Response to Amendment***

1. Applicant's amendment filed on December 13, 2004 has been entered. No claims have been amended. No claims have been cancelled. Claims 27, 28, and 29 have been added. Claims 1-29 are now pending in this application, with claims 1, 11, 27, 28, and 29 being independent.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-29 are rejected under 35 U.S.C. 102(e) as being anticipated by Granberg et al (US 6,101,387).
3. In regards to claims 1, 11, 22, 23, 25, 26, and 29, Granberg discloses a call processing method and network system, including: processing characteristics data associated with a communications call at a network switch (Mobile Switching Center 14) to determine if intelligent network (IN) service data is required to establish said call; passing said characteristic data to a network service data gateway (Gateway Mobile

Switching Center 12) when said service data is required; processing at least part of said characteristic data by said gateway to determine a network location (HLR 16) to access in order to obtain said service data (col. 4 lines 54-63, col. 5 lines 31-34, and col. 5-6 lines 57-3), and a communication protocol (MSC/VRL 14) for connecting to said network location (col. 5-6 lines 57-17); and obtaining said service data and passing said service data to said switch to establish said call (col. 4-5 lines 66-5 and col. 5 lines 35-41).

4. In regards to claims 2, 12, 21, and 24, Granberg discloses a call processing method and network system, including storing said service data in said gateway for subsequent requests for said service data (col. 4 lines 54-63).
5. In regards to claims 3 and 13, Granberg discloses a call processing method and network system, including deleting said service data from said gateway after a predetermined period of time (col. 3 lines 3-12).
6. In regards to claims 4 and 14, Granberg discloses a call processing method and network system, wherein said network location is in a central IN service data database (service database 32) (col. 6-7 lines 65-15).
7. In regards to claims 5 and 15, Granberg discloses a call processing method and network system, wherein said network location is in a local mobile network (col. 4-5 lines 66-21 and col. 7 lines 16-36).
8. In regards to claims 6 and 16, Granberg discloses a call processing method and network system, wherein said network location is in a foreign telecommunications network (col. 1 lines 38-41 and col. 3 lines 18-21).

9. In regards to claims 7 and 17, Granberg discloses a call processing method and network system, wherein said gateway is local to a user originating said call (col. 4 lines 54-65).

10. In regards to claims 8 and 18, Granberg discloses a call processing method and network system, wherein said gateway includes visitor computer logic for obtaining and caching service data for users in the area of said gateway (col. 4-5 lines 66-21).

11. In regards to claims 9 and 19, Granberg discloses a call processing method and network system, wherein said network location is within home computer logic including a central IN service data database (col. 5 lines 22-34 and col. 6-7 lines 65-15).

12. In regards to claims 10 and 20, Granberg discloses a call processing method, wherein said communication call includes a voice, data, or messaging connection (col. 6 lines 4-17).

13. In regards to claims 27 and 28, Granberg discloses a call processing method and network system, including: processing characteristic data associated with a communication call at a network switch (Mobile Switching Center 14) to determine if intelligent network (IN) service data is required to establish said call; passing said characteristic data to a network service data gateway (Gateway Mobile Switching Center 12) when said service data is required; processing at least part of said characteristic data by said gateway to determine a network location to access in order to obtain said service data, and a communication protocol for connecting to said network location, wherein the network location is within Home IN (HLR 16) computer logic including a central IN service data database (col. 4 lines 54-63, col. 5 lines 31-34,

and col. 5-6 lines 57-3); obtaining said service data and passing said service data to said switch to establish said call by using a Visitor IN (VLR 15) computer logic; and caching the service data in the VIN (VLR) computer logic (col. 5 lines 8-20 and col. 5-6 lines 57-3).

### ***Response to Arguments***

14. Applicant's arguments filed 12/13/04 have been fully considered but they are not persuasive. Applicant argues that, in Granberg, the network location determined is not a location for obtaining service data, but rather, it is a location for terminating or directing the call. Examiner respectfully disagrees with this argument. The network location (HLR 16) determined, in Granberg, is a location for obtaining service data (col. 5 lines 31-34 and col. 5-6 lines 57-3). Applicant states that Granberg does not discuss determining both a network location and a communication protocol for connecting to the location to obtain the service data. Granberg, however, does discuss determining both a network location (HLR 16) and a communication protocol (MSC/VRL 14) for connecting to the location to obtain the service data (col. 5-6 lines 57-3 and col. 6 lines 30-48). Applicant further argues that, in Granberg, services are determined locally by a predetermined servicing MSC and are not centralized in a gateway. The gateway (Gateway Mobile Switching Center 12), disclosed in Granberg, does determine the services that are available (col. 4 lines 58-65). Applicant states that Granberg does not teach a method that includes "processing characteristic data associated with a communications call at a network switch to determine if intelligent network (IN) service

data is required to establish said call." Examiner respectfully disagrees with this argument. Granberg does teach a method that includes processing characteristic data associated with a communications call at a network switch (Mobile Switching Center 14) to determine if intelligent network (IN) service data is required to establish said call (col. 4 lines 49-65 and col. 4-5 lines 66-20).

### ***Conclusion***

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Liu (US 5,825,759) teaches a distributing network services and resources in a mobile communications network. Granberg (US 6,122,510) teaches a method and apparatus for providing network-specific mobile services.
16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thjuan P Knowlin whose telephone number is (703) 308-1727. The examiner can normally be reached on Mon-Fri 8:00-4:30pm.
17. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (703)305-4731. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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18. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thjuan P. Knowlin



BING Q. BUI  
PRIMARY EXAMINER